

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTHWEST
LABORERS-EMPLOYERS HEALTH &
SECURITY TRUST et al.,

Plaintiffs,

v.

CORIA LANDSCAPE INC.,

Defendant.

CASE NO. 2:24-cv-00782-LK

ORDER TO SHOW CAUSE

This matter comes before the Court sua sponte. Plaintiffs filed their complaint on June 4, 2024, naming Coria Landscape, Inc. as Defendant. Dkt. No. 1. The Court issued summons on June 6, 2024. Dkt. No. 2. In the intervening months, no proof of service has been filed and Coria Landscape, Inc. has not appeared.

Federal Rule of Civil Procedure 4(m) provides that “[i]f a defendant is not served within 90 days after the complaint is filed, the court . . . must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” In addition, plaintiffs have a general duty to prosecute their claims, *see Fid. Phila. Tr. Co. v. Pioche Mines Consol., Inc.*, 587

1 F.2d 27, 29 (9th Cir. 1978), and they fail to fulfill this duty when they do not litigate their case,
2 *see, e.g., Spesock v. U.S. Bank, NA*, No. C18-0092-JLR, 2018 WL 5825439, at *3 (W.D. Wash.
3 Nov. 7, 2018). “[T]o prevent undue delays in the disposition of pending cases and to avoid
4 congestion in the calendars of the District Courts,” federal courts may exercise their inherent power
5 to dismiss a case sua sponte for failure to prosecute. *Link v. Wabash R. Co.*, 370 U.S. 626, 629–31
6 (1962); *see also, e.g., Ville v. Meridian at Stone Creek Assisted Living*, No. C17-913-MJP, 2017
7 WL 4700340, at *1 (W.D. Wash. Oct. 19, 2017). More than 90 days have passed since the
8 complaint was filed, and there is no indication that Plaintiffs have served Coria Landscape, Inc.,
9 nor have they filed anything in this case since June 2024.

10 The Court thus ORDERS Plaintiffs to show cause within 21 days of this Order why the
11 case should not be dismissed for failure to prosecute and failure to serve. If they timely serve
12 copies of the summons and complaint and file proof of the same, the Court will discharge this
13 Order. Failure to respond will result in dismissal of the case without prejudice.

14 Dated this 1st day of May, 2025.

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Lauren King
17 United States District Judge
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